

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**SUIT (L) NO.1054 OF 2016
WITH
NOTICE OF MOTION (L) NO.3332 OF 2016**

Vinduri Deomal Mirchandani and Anr. ... Plaintiffs
versus
Ruksana Shaikh ... Defendant

Mr. H. Gada with Ms. Yogini Gada i/by M/s. Harakchand and Co., for Plaintiffs.

Mr. Vinod Chhabra with Mr. Mr. D.H.Pardeshi i/by M/s. Levant Law Associates, for Defendant.

Ms. Ruksana Shaikh, Defendant present.

CORAM: S.J. KATHAWALLA, J.

DATE: 2nd DECEMBER, 2016

P.C.:

1. On 25th November, 2016 this Court passed the following order :

2. Today, the learned Advocate for the Plaintiffs are ready with the demand draft in the sum of Rs.7,50,000/- issued in favour of Ms. Shaikh Ruksana Lal Mohd. The Defendant is present in Court and states that she will have no objection if the keys of the suit flat are handed over to the Plaintiffs, after she is allowed to remove her personal belongings from the suit flat. In view thereof, following order is passed by consent :

(i) Ms. Rajashree Kale, Company Registrar, is appointed as Commissioner to visit the suit flat along with the parties and after opening the suit flat with the keys which are in possession of the Court, hand over the personal belongings of the Defendant to her and thereafter, handover the keys of the suit flat to the Plaintiffs.

(ii) The Commissioner shall submit her compliance report on 5th December, 2016 at 3.00 p.m.

(iii) The cost of the Commissioner is quantified at Rs.10,000/- which shall be borne by the plaintiffs.

(iv) Suit No.3101 of 2016 filed by the Defendant before the City Civil Court at Dindoshi, shall be unconditionally withdrawn by the Defendant within a period of one week from today.

(v) In view of the above order, the Suit as well as Notice of Motion are accordingly disposed of. Refund of Court Fees, if any, as per rules.

(S.J.KATHAWALLA, J.)